

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :	CRIMINAL NO.	<u>04-636</u>
	:	
v.	:	DATE FILED <u>10/5/04</u>
	:	
JAMES MILLER,	:	VIOLATIONS:
a/k/a "James Warren"	:	
	:	18 U.S.C. §§ 922(g), 924(e) (possession of
	:	a firearm by a convicted felon – 1 count)
	:	
	:	Notice of prior convictions
	:	
	:	Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about July 22, 2004, at Philadelphia, in the Eastern District of
Pennsylvania, defendant

JAMES MILLER,
a/k/a "James Warren,"

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate and foreign commerce a firearm, that is, a 7.62x39 mm, AR-1 (AK type) semi-automatic assault rifle made in Romania, serial number S1-79579-03, loaded with a magazine containing 13 live rounds of ammunition.

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(e).

NOTICE OF PRIOR CONVICTIONS

THE GRAND JURY FURTHER CHARGES THAT:

Defendant **JAMES MILLER, a/k/a “James Warren,”** committed the offense charged in Count One of this indictment after having been convicted in a court of the Commonwealth of Pennsylvania of at least three felony drug offenses, as follows:

1. Possession With Intent To Deliver A Controlled Substance – Philadelphia County docket number CP # 9606-0548;
2. Possession With Intent To Deliver A Controlled Substance – Philadelphia County docket number CP # 0110-1342; and
3. Possession With Intent To Deliver A Controlled Substance – Philadelphia County docket number CP# 0112-0885.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

_____ As a result of the violation of Title 18, United States Code, Section 922(g)(1), set forth in this indictment, the defendant

**JAMES MILLER,
a/k/a “James Warren,”**

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), the firearm and ammunition involved in the commission of these offenses, including, but not limited to:

- (a) the 7.62x39 mm, AR-1 (AK type) semi-automatic assault rifle made in Romania, serial number S1-79579-03; and
- (b) the 13 live rounds of 7.62x39mm ammunition removed from the firearm described in Paragraph (a) above.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d).

_____ **A TRUE BILL:**

_____ **FOREPERSON**

**PATRICK L. MEEHAN
UNITED STATES ATTORNEY**